

## MINUTES

### CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

JUNE 1, 2009

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

#### Present:

Chairman Harold Sanger  
Steve Lichtenfeld, Aldermanic Representative  
Craig S. Owens, City Manager  
Jim Liberman

#### Absent:

Marc Lopata  
Scott Wilson  
Ron Reim

#### Also Present:

Catherine Powers, Director of Planning & Development Services  
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting and asked that conversations not take place during the meeting and that all cell phone and pager ringers be turned off. He noted that since there are only 4 members in attendance this evening, an affirmative vote of at least 3 members must be received for a motion to pass.

## MINUTES

The minutes of the May 18, 2009 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

Catherine Powers introduced Elizabeth Simons as the Planning Department's Summer Intern. She indicated that Elizabeth will work on coverage and landscape issues for a future report to be submitted to this Commission.

CONTINUED CONSIDERATION OF A REQUEST FOR EXTENSION (SITE PLAN APPROVAL OF ENTIRE PROJECT AND ARCHITECTURAL APPROVAL OF THE GARAGE STRUCTURE ONLY) – MIXED-USE PROJECT – 25, 103, 111 & 119 NORTH CENTRAL AVENUE (RJ YORK HOTEL PROJECT)

Catherine Powers read staff's memorandum with regard to the site plan portion of the request as follows: Consideration of a request for an extension of the site plan approval for the Central-Maryland Hotel Planned Unit Development (PUD) project. This request was tabled by the Plan Commission at the May 18, 2009 meeting. The PUD is located at 25, 103, 111 and 119 N. Central Avenue and consists of two buildings and site improvements as follows:

***Hotel Tower*** – the primary building located at the southwest corner of Central and Maryland consists of a 23 story mixed use building featuring a 225-room hotel, 40-condominium units, spa, ground floor retail, and meeting rooms. Eighty-five (85) parking spaces for the condominium units are located beneath the building.

***Garage/Retail Structure*** – the hotel tower is supported by a 6-level parking garage containing 377 parking spaces and 16,538 square feet of retail.

The entire project consists of 225 hotel rooms, 40 residential units and 22,118 square feet of ground floor retail area and 462 parking spaces. The Plan Commission approved the site plan for this project at its meeting of June 2, 2008. The City's Zoning Regulations specifies that site plan approvals expire one-year from the time of approval by the Plan Commission if building permits are not applied for within that time frame. However, according to the Zoning Regulations, the applicant may request an extension to the time limit on such approvals by submitting a written request to the Director of Planning and Development Services prior to the expiration of said approvals. RJ York SSG, LLC has submitted a written request to the Director of Planning and Development Services officially requesting an extension of the approval for Site Plan, which must now be approved at the sole discretion of the Plan Commission. The rezoning and Planned Unit Development (PUD) approval was made by the Board of Aldermen on July 8, 2008. The Board of Aldermen will consider an extension of time for the Planned Unit Development approval at its June 9, 2009 meeting. Staff is requesting that all extension dates be consistent with the Planned Unit Development and recommends approval with the following conditions:

1. That the site plan approval expire on June 9, 2010.
2. That all of the previous site plan conditions approved by the Plan Commission on June 2, 2008 remain in effect; unless otherwise approved by the City.

Catherine noted that this is a simple extension of approval of the plans that were approved in June of last year. She stated that the City may receive changes to the plans in the future, but at this time this is only for a time extension of approval of the plans that were approved by the Plan Commission/ARB last June.

Mr. Jim Mellow, attorney representing RJ York SSG, LLC, indicated that a written request for extension was submitted in a timely manner and that there is still substantial interest in the project. He stated that a lease has been signed with Westin Hotel and that he is confident that in the 3<sup>rd</sup> or 4<sup>th</sup> quarter this year, they will be able to move forward. He stated that this extension request is based on economic conditions.

Chairman Sanger advised Mr. Mellow that since only 4 members are in attendance this evening, an affirmative vote of at least 3 must be received.

Mr. Matt Geekie, Counsel for Graybar Electric, commented that many economic forecasters have stated that the economy will turn around next year, not this year, and asked that the request for extension of approval be denied. He stated that he also understands that the plans have changed and that is a concern as Graybar needs a clear record of what is going on with this project.

Catherine Powers indicated that any amendments to the already approved Planned Unit Development project would have to go to the Board of Aldermen for public hearing and vote. She clarified that new plans are not being considered this evening; just simply a one year extension of the approval of the already approved plans.

Chairman Sanger commented that if plans change, the City will have to re-review/re-consider the project and that all this covers is an extension of the previously approved project approval time limit.

Ms. Suzie Forsyth, Clayton resident, indicated that she had heard that the project has been reduced and asked how surrounding owners will be notified if new plans are submitted.

Catherine Powers stated that if substantial changes are made to the approved PUD, a public hearing will take place before the Board of Aldermen and notices will be sent and a public hearing notice placed in the newspaper.

Chairman Sanger indicated that depending on the changes, review and consideration by the Plan Commission/Architectural Review Board or Board of Aldermen will be required.

Mr. Jim Kerley, 139 N. Central Avenue, asked about changes to the site.

Catherine Powers indicated that if changes are proposed to the site plan, the changes will have to come back to the Plan Commission for review. She added that if changes are made only to the Planned Unit Development aspect of the project, then those changes would go before the Board of Aldermen.

Kevin O'Keefe commented that this discussion has no relevance to this meeting as we are dealing exclusively with the previously approved plans.

Ms. Terry Kerley, 139 N. Central Avenue, stated she has concern with the content of the articles she has read in the newspaper, which included a statement that the condominium units are being eliminated. She stated that she received a letter in October, 2008 that indicated a reduction in the number of condominium units by 22. She stated that she only knows what she reads and that they are again being kept in the dark, which is unacceptable.

Chairman Sanger stated that this Commission can only provide comment on what is presented to them for consideration. He stated that he suspects this Commission will see some revisions to the approved plans.

Mr. Geekie stated that he read that the height of the building was being reduced to 15 stories.

Chairman Sanger stated that the developer is not obligated to come forward now.

Kevin O'Keefe reiterated that this request is only for an extension.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve per staff recommendations. The motion was seconded by Jim Liberman and unanimously approved by the members.

The request for extension of the architectural aspects of the project was up for consideration.

Catherine Powers read staff's memorandum with regard to the architectural aspects portion of the request as follows: Consideration of a request for an extension of Architectural Review Board approval for the garage portion of the Central-Maryland Hotel Planned Unit Development project. This request was tabled by the Architectural Review Board at the May 18, 2009 meeting. The garage/commercial component is located at 103, 111 & 119 North Central Avenue. The Architectural Review Board has not approved the design and materials for the hotel portion of the project located at 25 N. Central Avenue; therefore, a request for an extension of approval is not needed. The proposed structure will measure approximately 39-feet in height from average existing grade to the top of the limestone façade. The parking garage portion of the building will be less in height, which staff estimated will be approximately 30-feet from finished grade to the top of the brick wall. Three levels of parking above grade are proposed with the remaining three levels placed below-grade. The garage will accommodate parking for 377 vehicles. The total square footage of the garage area is 166,582. Fronting Maryland Avenue will be a commercial component occupying two stories totaling 16,538 square feet. The exterior will contain two primary materials: limestone panels and brick veneer. The limestone panels are proposed for the "front" of the building consisting of the commercial area. Storefront windows with large mesh fabric awnings are shown above the storefront entrances. The applicant is proposing the installation of City Streetscape along North Central and Maryland Avenues. In addition, a recessed patio area to be utilized for outdoor dining is proposed along Maryland Avenue. The Architectural Review Board approved the design and materials of the garage/parking structure at its June 2, 2008 meeting. The City's Zoning Regulations specifies that Architectural Review Board approvals expire one year from date of approval unless a Building Permit has been issued, which is not currently the case for this project. However, according to the Zoning Regulations, the applicant may request an extension to the time limit on such approvals by submitting a written request to the Director of Planning and Development Services prior to the expiration of said approvals. RJ York SSG, LLC has submitted a written request to the Director of Planning and Development Services officially requesting an extension of the approval for Architectural Review, which must now be approved at the sole discretion of the Architectural Review Board. The rezoning and

Planned Unit Development (PUD) approval was made by the Board of Aldermen on July 8, 2008. The Board of Aldermen will consider an extension of time for the Planned Unit Development approval at its June 9, 2009 meeting. Staff is requesting that all extension dates be consistent with the Planned Unit Development and recommends approval with the following conditions:

1. That the architectural review for the garage portion expires on June 9, 2010.
2. That all of the previous architectural review conditions approved by the Plan Commission on June 2, 2008 remain in effect; unless otherwise approved by the City.

Mr. Geekie stated that an extension should not be permitted without financing and asked that the request be denied.

Mr. Mellow indicated that it is ridiculous to suggest that financing be obtained without government approvals. He asked that the request be approved.

Mr. Mel Disney, Clayton resident, mentioned other pending projects which may change, including the Trianon Project. He recommended that the extension be denied in light of apparent forthcoming changes which may or may not be approved.

Being no further questions or comments, Jim Liberman made a motion to approve per staff recommendations. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

#### SITE PLAN REVIEW/ARCHITECTURAL REVIEW – ADDITION TO SINGLE FAMILY RESIDENCE – 7229 CLAYTON ROAD

Mr. Mark O'Bryan, owner/architect, was in attendance at the meeting.

Catherine Powers explained that the proposed project consists of a 2-story brick and Hardiplank siding 1,108 square foot addition to the existing 1,754 square foot single-family residence. The mean height of the roof gable is 24 feet above grade. The site measures 10,363 square feet and is located in the Claverach Park Subdivision. The new addition to the house will cover an additional 554 square feet of the lot. Catherine indicated that the R-2 Single Family Dwelling District allows up to 55% impervious coverage. The plans indicate that the existing impervious coverage is 39%. With the proposed addition to the house, 42.9% of the site will be covered by impervious surfaces. Existing downspouts connect to the below grade storm system which connects to a storm sewer along Clayton Road. In association with the addition, new below grade storm drains will be added to this drainage system. Existing trash storage and HVAC units are located on the eastern side of the house and screened by a wood fence. The plan shows no trees to be removed as a result of the addition. According to the City's contracted landscape architect, tree preservation fencing is to be provided for the existing evergreen trees along the western property line to protect these trees during construction. Catherine indicated that staff recommends approval as submitted.

Mr. O'Bryan stated that staff covered everything and commented that it is a relatively simple site plan.

Being no questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Jim Liberman and unanimously approved by the members.

The architectural aspects of the projects were now up for review and consideration.

Catherine Powers explained that the 1,108 square foot addition will be located on the north-facing rear of the house. The first floor will contain a newly relocated kitchen and family room and the second floor will contain two new bedrooms. The exterior of the addition is two-colored brick with gray mortar and Hardiplank fiber cement siding. The Mellotone brick matches the existing with Red Colonial brick decorative headers. The siding used on the turret, bay, and trim of the addition is in compliance with the Architectural Review Guidelines because it accounts for less than 25% of the total elevation of each side of the house and although the proposed turret, located on the northeastern corner of the structure, is unusual for this style of home, this architectural element adds visual interest to the addition, is not visible from the street and will be screened by an existing bamboo thicket and large maple tree to the east. The height of the addition will be 29 feet from grade to the top of the turret, 24 feet to the main roof gable, and 27 feet to the top of the existing gable. The new roof will be covered with asphalt shingles to match the existing roof of the house and detached garage. Existing windows on the rear of the house are to be removed and reused in the addition. The new windows will match the existing. Existing trash and HVAC units will remain on the eastern side of the house screened by a wood fence. The existing impervious coverage area is 39% of the total lot. After completion of the addition, the impervious coverage area will be 42.9%. Claverach Park Trustee approval has been submitted and staff recommends approval as presented.

Mr. O'Bryan presented samples of the brick (to match existing), roofing material and trim.

Chairman Sanger asked about the turret.

Mr. O'Bryan stated that his family likes it.

Jim Liberman asked about the siding.

Mr. O'Bryan indicated that it will be painted.

Steve Lichtenfeld referred to the decorative brick headers and asked if they were anywhere on the existing structure.

Mr. O'Bryan replied "no". He stated that he believes they add interest to the addition.

Steve Lichtenfeld asked if decorative brick headers could be put on the front of the structure.

Mr. O'Bryan stated that he would love to, but cannot for financial reasons.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as submitted. The motion was seconded by Jim Liberman and unanimously approved by the Board.

#### ARCHITECTURAL REVIEW – ADDITION TO SINGLE FAMILY RESIDENCE – 16 SOUTHMOOR

Mr. Paul Fendler, project architect, was in attendance at the meeting.

Catherine Powers explained that the 2 story, 1,175 square foot addition will be located on the western side of the approximately 3,800 square foot 2 ½ story house and that an existing portion of the structure (490 square feet) will be removed to accommodate the addition. The first floor of the addition consists of a new study area, family room, kitchen, and deck and the second floor contains a new master bathroom and closet to be added onto the existing master bedroom. With the proposed addition and removal, the home will total 4,485 square feet. Site plan review is not required because the addition is less than 50% of the square footage of the existing structure. The addition is red brick with sand colored mortar to match the existing residence. The height of the addition will be 29 feet from grade to the mean height of the roof. The windows are proposed to be double hung to match the existing. The proposed sloped roof on the addition is a gray/green slate to match the existing. A standing seam metal roof will extend above the kitchen, family room, and study room on the first floor level of the addition. Relocated and new HVAC units are placed under a new deck on the south side. Trash is shown stored within an existing enclosure located adjacent to the existing detached one and a half story brick garage and screened with a 4' wood fence. The existing impervious coverage area is 41% of the total lot. After completion of the addition, the impervious coverage area will be 44%. No trees are being removed for the construction of the new addition. A walk connecting the existing rear entrance and an existing asphalt tennis court will be removed as needed. Two versa-lok walls will be used in the rear to allow for grading which exposes the basement. The bottom of the staircase from the new deck is at grade with the floor of the basement. In accordance with the Architectural Review Guidelines, this modular block wall system is acceptable because it is not visible from the street or from the ground level of any adjoining residence. As shown, the plans comply with impervious coverage and setback provisions of the Zoning Ordinance. Southmoor Trustee approval has been submitted and staff recommends approval as presented.

Mr. Fendler presented samples of the slate roof and brick. He stated that the existing unsightly addition is being removed to accommodate this new addition and that the materials being used will match existing materials.

Steve Lichtenfeld indicated that a neighbor has asked if drainage was reviewed even though site plan review was not required.

Catherine Powers stated that she believes the project will connect to the storm sewer as is the rest of the structure.

Being no further questions or comments, Jim Liberman made a motion to approve as submitted. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

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Chairman Sanger asked about the Centene Project.

Craig Owens indicated that the project is moving along.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 6:10 p.m.

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Recording Secretary